

From: Scott Boland
To: Microsoft ATR
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Subject: The Microsoft Settlement

As I write these comments on a MicroSoft OS, using MicroSoft's mail client, sending it most likely to a MicroSoft Server. All I can think is how our Justice Department has failed us.

I have been a professional in the computer field my entire career. I have grown up with the machines that preceeded the PC of today. There used to be TV commercials where different makers would hype ease of use, competitive price, or peerless features. Today we get flying people and feel good music. Competition for the OS in the PC market is currently dead, and the agreement I have seen sees fit to bury the corpse out of sight where it won't stink things up. The biggest profitable competitor today for market share is the older copies of Microsoft's OS.

The miserly places the market is not controlled by Microsoft are in the embedded markets, graphics houses, schools, and utility servers. The agreement, as structured, would further the control of Microsoft into these arenas without returning any notable benefit to the public at large. The wording is such that the competitor in the utility and embedded market, Linux, would no longer be allowed even an attempt at interoperation. The schools, a traditional stronghold of Apple, would be assigned equipment requiring Microsoft contracts from this time forth. The graphic houses, already feeling preasure to conform to the MicroSoft PC, may find the company declaring software makers 'dubious' and therefore remove the little cross platform software still made by the Seattle giant. Only those companies willing to pay MicroSoft in exclusive and secret contracts will be allowed to view holy writ on how to interface with these systems.

A monopolist who abuses his abilities in the marketplace must not be given greater control over their product, but less. Microsoft should not be the one who chooses who will be allowed to see their documentation for purposes of compatibility. Microsoft must not be the one deciding who is a 'valid' competitor. Microsoft should not be allowed secrecy and unknowable agreements tying OEMs and contractors to their aprons. The only way to spur more competition is to give others advantages to overcome the inertia being built up by the one company.

To that end, I would suggest making all contracts made by Microsoft be visible to the general public after one year's time. I would suggest that sales of the OS and Applications be based on fixed prices to all users, be they OEM, retail, or school to prevent further market manipulation. Due to the destruction of the browser competitor, the current Microsoft browser code should have all interfaces and API's released to the general public that was damaged by the removal of competition. At the furthest end of the spectrum, should they not abide by the court, they should lose the protections of copyright over the materials they have already released to increase the level of competition from the only real alternative, the previously sold copies of Microsoft software!

I am forced to work with and for the companies cooperating reluctantly with Microsoft every day. Currently I am now laid off due in part to my multi-platform skills no longer being needed by the majority of industries. Corporations are not ethical. They do not restrict themselves unless forced to. Every previous agreement with this company has been subverted. It is a travesty of justice to reward them with the settlement currently on the table.

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